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10 Attorneys for Plaintiffs  
11 ESTATE OF FRANK CARSON AND GEORGIA DEFILIPPO

12 UNITED STATES DISTRICT COURT  
13  
14 EASTERN DISTRICT OF CALIFORNIA

15 ESTATE OF FRANK CARSON and  
16 GEORGIA DEFILIPPO, as an individual  
17 and as successor in interest to FRANK  
18 CARSON,

19 Plaintiffs,

20 vs.

21 COUNTY OF STANISLAUS, CITY OF  
22 MODESTO, CITY OF CERES, BIRGIT  
23 FLADAGER, MARLISSA FERREIRA,  
24 DAVID HARRIS; KIRK BUNCH, STEVE  
25 JACOBSON, JON EVERS, DEREK  
26 PERRY, CORY BROWN, and DOES 1-25,  
27 inclusive,

28 Defendants.

Case No. 1:20-CV-00747-TLN-BAM

**STIPULATION AND ORDER OF  
VOLUNTARY DISMISSAL**

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Pursuant to FRCP 41(a)(1), Plaintiffs ESTATE OF FRANK CARSON and GEORGIA DEFILIPPO (“Plaintiffs”) and defendants CITY OF CERES and DEREK PERRY (“Defendants”), through their respective counsel, hereby agree and stipulate to the following;

1. The Defendant City of Ceres shall be dismissed with prejudice;
2. The Defendant Derek Perry shall be dismissed with prejudice.

Each party is to bear its own attorney’s fees and costs.

DATE: December 17, 2020

GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER

/s/ Jayme L. Walker

J. Gary Gwilliam  
Randall E. Strauss  
Robert J. Schwartz  
Jayme L. Walker  
Attorneys for Plaintiffs  
ESTATE OF FRANK CARSON AND  
GEORGIA DEFILIPPO

DATE: December 17, 2020

ARATA SWINGLE VAN EGMOND & HEITLINGER

/s/ Bradley Swingle (authorized 12/17/20)

Bradley James Swingle  
Attorneys for Defendants  
CITY OF TURLOCK, CITY OF CERES,  
FRANK NAVARRO, TIMOTHY REDD,  
DEREK PERRY

**ORDER**

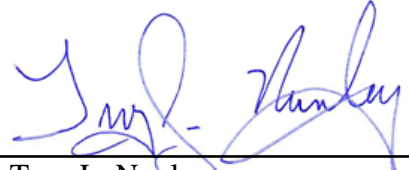
Pursuant to the stipulation of the parties:

1. The Defendant City of Ceres is dismissed with prejudice;
2. The Defendant Derek Perry is dismissed with prejudice.

Each party is to bear its own attorney's fees and costs.

IT IS SO ORDERED.

Dated: December 17, 2020

  
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Troy L. Nunley  
United States District Judge